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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ENGINE CAPITAL MANAGEMENT, LP, :

Plaintiff, :

- against - :

ENGINE NO. 1 GP LLC; ENGINE NO. 1 NY
LLC; ENGINE NO. 1 LLC; ENGINE NO. 1 LP;
CHRISTOPHER JAMES; AND CHARLES
PENNER, :

Defendants. :

Civil Action No. 1:21-cv-00149-VM

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STIPULATION AND [PROPOSED] ORDER OF DISMISSAL

IT IS HEREBY STIPULATED between the parties that all claims that were or could have
been brought in this action against Defendants are hereby dismissed with prejudice, with each party
to bear its own costs and attorney's fees.

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SO ORDERED:

Hon. Victor Marrero,
United States District Judge

Date: _____